IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY NINTH DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

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WRIT PETITION NO : 503 of 2005

Between:

L. Ramu, S/o. L. Gabru Naik,
Piduguralla Depot, R/o. Post, Kondrapur, Mandal Damarcharla, District Nalgonda - 508 355.

..... PETITIONER

AND

Depot Manager, A.P.S.R.T.C., Piduguralla Depot,
Guntur District.

.....RESPONDENT

ORDER:

Heard learned counsel for the petitioner and the learned standing counsel for respondents Sri R.Manmadha Reddy.

The writ petition is by a casual driver of the APSRTC against the proceedings of the respondent dated 31.12.2004 directing deletion of the petitioner's name from the select/ approved list of panel casual drivers as a consequence of which the petitioner would be disentitled to be engaged as daily wage employee (Driver) in the Corporation. The impugned order clearly records that the decision is taken on account of the rash and negligent driving of the petitioner resulting in an accident and loss to human life. A show cause notice in this behalf was issued on 18.12.2004. The petitioner submitted his explanation on 24.12.2004. The respondent without considering the explanation and without recording any reasons has recorded an ipso dixit conclusion that the petitioner's explanation had been perused and was not found convincing. The conclusion as to the unsatisfactory service of the petitioner is not a conclusion basing on reasons. The decision is unsustainable as is the impugned order.

The writ petition is accordingly allowed. The order of the respondent dated

31.12.2004 is set aside. Nothing in this Judgment shall however preclude the respondents from proceeding against the petitioner for deletion of his name from the approved list of casual drivers after following the due procedure and substance of law. As the order has been passed in patent violation of the principles of natural justice, I consider it appropriate to allow this writ petition with costs in an amount of Rs.1,000/- to be paid by the respondents to the petitioner.

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29-8-2005

kvrm